C-407 NO. 15/2005

Hon'ble Dharam Veer, J.

Heard Sri Vinay Kumar, learned counsel for the applicant, learned A.G.A. and Sri R.S.Sammal, learned counsel for respondent Nos. 2 & 3.

The learned counsel for the applicant pressed the application for staying the proceedings of Crl.Case No.2707 of 2003, Balwant singh Mehra versus Gopal Singh Mehra & another pending in the court of J.M., Haldwani, District Nainital.

I have gone through the counter affidavit filed by respondent Nos. 2 & 3. It has been stated in Para-6 of the counter affidavit that the proceedings in the aforesaid crl.case have already been stayed by this Court on 29.09.2005 in a case filed under Sec. 482 Cri.P.C. by the respondents. Hence at this stage the application has been rendered infructuous.

Learned counsel for the applicant now has very frankly stated at bar that the application has been rendered infructuous and may be dismissed as as such.

The application is dismissed as infructuous.

(Dharam Veer, J.)

09.11.2006

P.Singh